

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

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In re : Chapter 9
CITY OF DETROIT, MICHIGAN, : Case No. 13-53846
Debtor. : Hon. Steven W. Rhodes
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**JOINDER OF THE CITY OF DETROIT TO MOTION OF THE CITY
OF DETROIT WATER & SEWERAGE DEPARTMENT FOR AN ORDER,
PURSUANT TO 11 U.S.C. § 105, AMENDING AND CLARIFYING THE
Fee Review Order Dated September 11, 2013 [Docket No. 3929]**

The City of Detroit (the "City"), as the debtor in the above-captioned case, hereby submits this Joinder (the "Joinder") to the Motion of the City of Detroit Water & Sewerage Department for an Order, Pursuant to 11 U.S.C. § 105, Amending and Clarifying the Fee Review Order Dated September 11, 2013 (Docket No. 3929) (the "Motion"). In support of this Joinder, the City respectfully represents as follows:

1. The City of Detroit Water & Sewerage Department ("DWSD") filed the Motion on April 9, 2014. On May 2, 2014, this Court issued the Order Requiring Briefing on Standing or Joinder of City of Detroit to Motion to Clarify Fee Review Order (Docket No. 4383) (the "Order"), requiring the City and certain

other parties to "file briefs with the Court regarding whether the DWSD has standing independent of the City to file the Motion," by May 9, 2014. Order, at 1. The Order further provides that, "[i]n the alternative, the City may file a Joinder to the Motion." Id.

2. DWSD is a department of the City. Although DWSD is part of the City, it maintains a degree of independence with respect to certain functions — such as purchasing, human resources, law and finance — pursuant to certain orders entered by the United States District Court for the Eastern District of Michigan in the case captioned as United States v. City of Detroit, et al., No. 77-71100 (E.D. Mich.), which case was commenced by the United States Environmental Protection Agency in 1977 and remained pending for more than 35 years. DWSD hired outside counsel to assist it with many functions, and DWSD's outside counsel has coordinated with the City's restructuring advisors throughout the course of this chapter 9 case.

3. Counsel for DWSD consulted with the City in advance of filing the Motion. Because DWSD is a department of the City — and, therefore, part of this bankruptcy case — the City believes that the professional fees that DWSD is required to pay should be subject to the fee review process established by the Court. To that end, the Fee Examiner already reviews the fees of DWSD's professionals. Similarly, because the Trustee for the DWSD bonds seeks to have

its professionals' fees and expenses paid by DWSD (as part of the City), the City supports the relief requested in the Motion. For these reasons, the City hereby joins in the Motion.

4. The City reserves the right to amend, supplement, alter or modify this Joinder.

WHEREFORE, the City respectfully requests that the Court: (a) grant the Motion, (b) overrule any objections to the Motion and (c) grant such other and further relief to the City as the Court may deem proper.

Dated: May 8, 2014

Respectfully submitted,

/s/Heather Lennox

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ATTORNEYS FOR THE CITY

CERTIFICATE OF SERVICE

I, Heather Lennox, hereby certify that the foregoing Joinder of the City of Detroit to the Motion of the City of Detroit Water & Sewerage Department for an Order, Pursuant to 11 U.S.C. § 105, Amending and Clarifying the Fee Review Order Dated September 11, 2013 was filed and served via the Court's electronic case filing and noticing system on this 8th day of May, 2014.

/s/Heather Lennox